

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

| | | |
|----------------------------|---|------------------|
| AMERICAN ECONOMY INSURANCE |) | |
| COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:05cv840-MHT |
| |) | |
| JONATHAN RUTLEDGE, d/b/a |) | |
| JONATHAN'S DELI, |) | |
| |) | |
| Defendant. |) | |

ORDER

After and independent and de novo review of the record,
it is ORDERED as follows:

- (1) Plaintiff's objections (doc. no. 32) are overruled.
- (2) The recommendation of the United States Magistrate Judge (doc. no. 31) is adopted.
- (3) Plaintiff's motion for summary judgment (doc. no. 18) is denied.
- (4) This cause is referred back to the United States Magistrate Judge to conduct a non-jury trial and

enter a report and recommendation based on the
evidence presented at that trial.

DONE, this the 2nd day of October, 2006.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE